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# **Iowa Autism Council**

## **By-Laws and Operating Procedures**



**Iowa Department of Education**  
**2008**  
Introduction

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These By-laws and Operating Procedures are designed to guide the membership and work of the Iowa Autism Council.

The Iowa Autism Council is a collaborative resource that envisions its role as an advocate for children and adults living with Autism Spectrum Disorder (autism and Asperger's and other conditions represented on the autism spectrum) and their families. As such, it is committed to representing individuals with diverse and changing educational needs. Iowa Autism Council (IAC) shall have, and will perform, functions and duties as specified by law. Responsibilities include offering advice, consultation, and recommendations to Governor Culver and the Iowa legislature regarding matters concerning the ASD population.

**The role of the Council members is to advise, not advocate, for an individual position. Advise means to inform, counsel, recommend, suggest or guide. To advocate means to plead for your case or position, to favor an individual case or argument. The advisory Council is to provide advice, based on facts and good judgment.**

Questions concerning the Iowa Autism Council and the Council's operation should be directed to the following:

Lana Michelson, Chief  
Bureau of Student and Family Support Services  
Iowa Department of Education  
Grimes State Office Building  
400 E 14th St  
Des Moines, IA 50319-0146  
(515) 281-5735  
Fax: (515) 242-6019  
[lane.michelson@iowa.gov](mailto:lane.michelson@iowa.gov)

Sue Baker, Council  
Facilitator: (319) 356-4619, Fax (319) 356-3715, or [sue-baker@uiowa.edu](mailto:sue-baker@uiowa.edu)

Current Council Chairperson  
Josh Cobbs  
(712)204-9616, or [Joshua.cobbs@gmail.com](mailto:Joshua.cobbs@gmail.com)

Current Co-Chair  
Danielle Sharpe  
[hki2thdrs@hotmail.com](mailto:hki2thdrs@hotmail.com)

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## **Mission Statement**

The Iowa Autism Council

Identify the needs, make recommendations and advocate for improving and enhancing the lives of individuals and families living with autism spectrum disorders.

## **Vision Statement**

Individuals and families living with Autism Spectrum Disorders have a comprehensive, coordinated system for diagnosis, treatment and support so that individuals grow to live productive, integrated lives in communities they choose.

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## **By-Laws and Operating Procedures**

### ***Article I***

#### **Name**

Section 1. The name of the organization shall be the Iowa Autism Council (herein referred to as the “Council”).

#### **Authorizing Legislation**

Section 2. The Council exists by authority of the legislation 256.35A Section 126.

### ***Article II***

#### **Purpose**

Section 1. The purpose of this Iowa Autism Council is to act in an advisory capacity to the Governor and General Assembly to develop and implement a comprehensive, coordinated system to provide appropriate diagnostic, intervention, and support services for children with autism and to meet the unique needs of adults with autism/Autism Spectrum Disorders.

#### **Duties**

Section 2. The duties of the Council are to:

Focus its efforts on addressing the unmet needs of individuals with autism at various levels of severity and their families. The council shall address all of the following:

- (a) early identification by medical professionals of autism, including education and training of health care and mental health care professionals and the use of best practice guidelines;
- (b) appropriate early and intensive early intervention services with access to models or training;
- (c) integration and coordination of the medical community, community educators, childhood educators, health care providers, and community-based services into a seamless support system for individuals and their families;
- (d) general and special education support services;
- (e) in-home support services for families requiring behavioral and other supports;
- (f) training for educators, parents, siblings, and other family members
- (g) enhancing of community agency responsiveness to the living, learning, and employment needs of adults with autism and provision of services including but not limited to respite services, crisis intervention, employment assistance, case management, and long-term care options;
- (h) financing options including but not limited to medical assistance waivers and private health insurance coverage;
- (i) data collection.

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The council will submit a report to the governor and general assembly of the needs and recommendations for improving and enhancing lives of the lives of individuals with autism and their families. “Autism” means a spectrum disorder that includes at various levels of severity, autism, Asperger’s Disorder, Pervasive Developmental Disorder Not-Otherwise-Specified, Retts Syndrome, and Childhood Disintegrative Disorder.

### *Article III*

#### **Membership**

- Section 1. The council shall consist of thirteen voting members. The majority of the voting members shall be individuals with autism or members of their families. In addition,
- a) each of the following shall be represented among voting members
    - Autism diagnostic and research specialists
    - Individuals with recognized expertise in utilizing best practices for diagnosis intervention, education, and support services for individuals with autism
    - Individuals providing residential services for individuals to autism
    - Mental Health professionals with background or expertise in a pertinent mental health field such as psychiatry, psychology, or behavioral health
    - Private insurers
    - Teachers and representatives of area education agencies
  - (b) The departments represented below shall serve as ex officio members of the advisory council. The ex-officio members shall work together in a collaborative manner to serve as a resource to the advisory council. The council may also form workgroups to address specific issues within the technical purview of individual members.
    - representatives of the department of education
    - the division of vocational rehabilitation of the department of education
    - the department of public health
    - the department of human services
    - the governor’s developmental disabilities council
    - the division of insurance of the department of commerce
    - and the state board of regents
  - (c) NEEDS TO BE CONFIRMED BY DE: Public members shall receive reimbursement for actual expenses incurred while serving in their official capacity and may also be eligible to receive compensation as provided in section 7E.6.

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### **Appointments and Selection**

- Section 2. The thirteen voting members are appointed by the Governor and confirmed by the senate. Appointments shall comply with sections 69.16 and 69.16A.

### **Term of Membership**

- Section 3. Term of office shall be for 3 years, except those appointments made to fill an unexpired term. The three-year term begins on the date of the first scheduled Council meeting after the Governor makes the official appointment. Appointments shall be staggered terms of office to assure that new appointments do not exceed one third of the membership. Members can be appointed for two consecutive three-year terms. Ex-officio and agencies may serve unlimited consecutive terms.

### **Designees**

- Section 4. Members unable to attend a Council meeting may appoint a designee to represent them at official Council meetings. Designees can be actively involved in meeting activities, but cannot vote. If expenses of designees are to be reimbursed a staff to the Council must be notified four weeks prior to the meeting in order to submit necessary paperwork. Written notice should be sent to the chair with designees contact information when possible.

### **Resignation**

- Section 5. Council members wishing to resign their seat on the council are asked to submit a letter of resignation to the chairperson of the council. The resignation letter will be forwarded to the Governor's Office so that the Governor can appoint a replacement. The Council may make recommendations of applicants for the Governor to consider.

### **Vacancy**

- Section 6. Vacancies on the council shall be filled by the Governor's Office. A person appointed to fill a vacancy shall serve only for the un-expired portion of the term. That will be considered the first term for that person even though the length may be less than three years. The chairperson will notify the Governor as vacancies arise.

### **Termination**

- Section 7. Regular attendance is expected. If a member misses three consecutive meetings without naming a designee in a year or attends less than one half of the regularly scheduled meetings of an appointment year, the chair or co-chair will contact the member to discuss the members ability to fulfill the duties of the appointment. In such instances, the chair will keep the Governor's Office apprised of the situation and the Councils recommendation for action.

### **Nondiscrimination Statement**

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- Section 8. It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, gender, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.).

If you have questions or grievances related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, 400 E 14th St, Des Moines, IA 50319-0146, telephone number 515/281-5295, or the Director of the Office for Civil Rights, U.S. Department of Education, 111 N. Canal Street, Suite 1053, Chicago, IL 60606-7204.

## *Article IV*

### *Meetings*

- Section 1. The Department of Education shall convene and provide administrative support to the council. The time and place of regular quarterly meetings shall be determined by the Iowa Department of Education. Meetings shall be held in accordance with the Iowa Code chapter 21, the state's "open meetings" statute.

- Section 2. The council shall ensure that a written public notice of each meeting is posted at least two weeks prior to each meeting. Notice with tentative agenda and minutes of the previous meeting shall be distributed to council members two weeks prior to the next meeting. Council members wishing to place items on agenda must have agenda request(s) into council chair one month prior to next meeting. Chairperson in conjunction with co chair will consider agenda items. All agenda items submitted may not make the agenda, but will be listed in the minutes.

Interpreters for persons who are deaf and other special accommodations shall be provided at Council meetings for both Council members and participants who give advance notice of their needs to staff of the Council.

- Section 3. **Public Comment**
- a. A thirty-minute period of time will be set aside at the beginning of each Council meeting for Public Comment. If there is no Public Comment, the meeting may commence. Public Comments should relate to the meeting agenda items.
  - b. Individuals wishing to speak will be asked to register at least fifteen (15) minutes prior to the meeting. Speakers must provide a topic that they will be

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addressing when possible. Speakers will be called in the order in which they registered. Speakers must register as either an Individual or a Group.

c. Each speaker will have up to three (3) minutes for their comments, regardless of whether they are speaking as an Individual or representing a Group.

d. Individuals wishing to comment who cannot attend the meeting in person may send written comments by e-mail or by US mail to a designated staff person. Written comments received at least three (3) business days prior to a Council Meeting will be forwarded to all Council Members by e-mail. Written comments received less than three business days prior to the meeting will be distributed at the meeting. Written comments will be included as part of the record.

e. The Council puts a high priority on keeping this process simple, accessible, and flexible, so the registration process is meant to help streamline the Public Comment period; however, if a potential speaker arrives at a different time, the Council will do its best to allow them three minutes for comment.

Section 4. Notice with tentative agenda and minutes of the previous meeting shall be distributed to council members two weeks prior to the next meeting.

## *Article V*

### *Officers, Terms and Duties*

- Section 1. The council shall annually elect a chairperson and co-chairperson, by a nomination process that is seconded by a voting member of the council. Chair and co chair will be confirmed by a majority vote and must be voting members of the council.
- Section 2. Nominations for officers come from the council membership currently the council operates under a chair and co chair system, but has the right to add more office position should they be needed going forward.
- Section 3. The council has the ability to ask for the chair and co-chair to resign their posts. This cannot take place without cause in writing and a majority of council members voting for removal of the chair and co-chair.
- Section 4. A vacancy of chair or co chair may occur during an existing term. Should a vacancy arise open positions will be filled pursuant to Section 2. Article V.
- Section 5. Executive committee is made up of the Chairperson, Co-Chair, State Facilitator, DE leadership, and other members as needed.



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- Section 6. Powers and duties of the Chair: Chairperson will lead council meetings. Chair will also serve as liaison to the Governor’s office and state legislator. Chair will set the agenda along with Co-Chair and state Council Facilitator. Chairperson will field incoming questions from media and other public entities.
- Section 7. The state Council Facilitator (a non-voting member) will collaborate with the Executive Committee to ensure that the following occurs: The council is moving forward and developing recommendations on how to serve those with ASD and their families.

## ***Article VI***

### **Sub-Committees**

- Section 1. Chairperson can recommend a subcommittee or a standing subcommittee. Subcommittee will be approved by majority vote. Chairperson will also appoint a chairperson of the subcommittee.
- Section 2. The chairperson can at anytime call a subcommittee to ensure the council continues to meet the objects set forth in by law. Furthermore the full council can request a subcommittee be formed by a majority vote.
- Section 3. The Iowa Department of Education shall provide resources to the committees or work groups. Resources will be allocated to help further council objectives by the Department of Education if needed and available. Any outside resources used should be footnoted in any reports or verbal stated when using said resources.
- Section 4. Subcommittee will report findings upon completion of research phase. Findings will be presented to support staff to be sent in whole to all council members. Furthermore findings will be included in meeting that follows finding results.

## ***Article VII***

### **Council Procedures**

- Section 1. See Article IV section 1
- Section 2. See Article IV section 2
- Section 3. See Article IV section 2
- Section 4. Quorum is defined as a majority of voting members of the Iowa Autism Council.

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- Section 5. See Article IV section 3.
- Section 6. The Council shall conduct at least four meetings each year. The Annual Planning/Orientation meeting shall be held in October.
- Section 7. Voting members may choose to vote by a show hands to be recorded in the minute notes or by paper ballot with member name also to be recorded in minute notes. Members wishing to dissent can do so by voting against issue before the council or in a written statement. Furthermore members can also have the ability to abstain from a vote.
- Section 8. Items not specified by law, rules, or by-laws shall be governed by Robert's Rules of Order.
- Section 9. Bylaws may be amended by two-thirds (2/3) of the appointed members. Proposed changes to the bylaws must be submitted in writing to the membership a minimum of thirty (30) days prior to the vote.
- Section 10. CONFLICT OF INTEREST- No member of the council shall cast a vote on any matter that is likely to provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under State law.
- Section 11. By December 15 of each year, the Council shall submit an Annual Report of Council Activities and recommendations to the Governor and legislature. This report shall be available to the public in a manner consistent with public reporting requirements.